

11-02-06

110/DAE

Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (Small Entity)				Docket No. HOLMES-2	
In Re Application Of: RAUL V. MUNOZ ET AL					
Application No. 10/797,230	Filing Date 10 MAR 04	Examiner K.T. NGUYEN	Customer No.	Group Art Unit 3714	Confirmation No.
Invention: STREAMER LAUNCHING SYSTEM					

Attention: Office of Petitions
Mail Stop Petition
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified Office Action:

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: **SECOND AMENDMENT AFTER FINAL**

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on _____

3. ☒ Applicant claims small entity status. See 37 CFR 1.27. 11/03/2006 AMONDAF1 00000089 500765 10797230
01 FC:2453 750.00 DA

4. ☐ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

5. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

6. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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Application No.

10/797,230

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3714

Confirmation No.

Invention: **STREAMER LAUNCHING SYSTEM**

Calculation and Payment of Fees

Enclosed are the following fees:

7. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$750.00
8. ☐ Fee for reply in the amount of: _____
9. ☐ Issue fee in the amount of: _____
10. ☐ Continuing application filing fee in the amount of: _____
11. ☐ Terminal disclaimer fee in the amount of: _____
12. ☐ _____

Total fees enclosed: \$750.00

The fee of **\$750** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-0765**
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Docket No.
HOLMES-2

In Re Application Of:
RAUL V. MUNOZ ET AL

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10/797,230	10 MAR 04	K.T. NGUYEN		3714	

Invention: **STREAMER LAUNCHING SYSTEM**

Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioner/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.


Signature

Dated: 27 JULY 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

2 Aug. 06
(Date)


Signature of Person Mailing Correspondence

R.B. SHERER

Typed or Printed Name of Person Mailing Correspondence

cc:



Application No.
10/797,230

Filing Date
10 March 2004

Examiner
K.T. Nguyen

Art Unit
3714

Applicant
Raul V. Munoz et al

Title
Streamer Launching System

Docket No.
Holmes-2

ATTENTION: OFFICE OF PETITIONS

I hereby certify that this correspondence is being deposited with the United States Postal Service as **EXPRESS** Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, V.A. 22313-1450

1 November 2006


R.B. Sherer


EXPLANATORY LETTER

On 2 August 2006 Counsel mailed a Petition to Revive, an Amendment of the same date, and Check #926 for \$750.00 as the Petition Fee.

It has now been discovered that the original of the Petition was inadvertently filed in Counsel's file, and it is not clear whether a copy thereof was actually filed.

The original Petition is enclosed, and Counsel apologizes for this clerical error.

Respectfully submitted,


Ronald B. Sherer
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